

### REMARKS

Claims 1-9 have been previously canceled, claims 10, 15, 17-19 are currently amended. No claims have been canceled or added by way of this response. Thus, claims 10-26 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

#### Response to Rejections Under Section 112:

Claims 15, 17 and 18 stand rejected under 35 U.S.C. 112, second paragraph. Applicant has amended claims 15, 17, and 18 to overcome the rejection and respectfully request the Examiner to withdraw the 112 rejections.

#### Response to Rejections Under Section 102:

Applicant respectfully requests that the Examiner withdraw the Section 102 rejections based on the following:

Claims 10-12, 17-19, 20-23 and 26 stand rejected under 35 U.S.C § 102(b), the Examiner contending that these claims are anticipated by Madden (US 4,622,821). The Examiner apparently equates Applicant's flow element with Madden's louver.

Applicant's Claim 10 recites:

a liner formed from a plurality of heat shields on an inside of the combustion chamber wall;

a flow element arranged in the inner space for selective adjustment of a dimension of a cooling medium stream, the flow element arranged on the combustion chamber wall.

Applicant's liner and flow element are clearly separate elements as shown in FIG 2 by numbers 26 and 49 respectively and the flow element is arranged on the combustion chamber wall. In contrast, Madden teaches that the louver and the liner are not separate entities, (see col. 3 lines 23-38):

The burner comprises a plurality of louvers constructed cylindrical or conical members 12 mounted end in a lengthwise manner **defining** a hollow combustion chamber.

and that Madden's louver is a part of the liner opposite the combustion chamber wall.

In view of the above, claim 10 is not anticipated by Madden. Furthermore, Claims 11-12 and 17-18 which depend on claim 10 are also patentable at least based on their dependence from claim 10 as well as based on their own merits. Likewise, in view of the above, claim 19 is not anticipated by Madden. Furthermore, Claims 20-23 and 26 which depend on Claim 19 are also patentable at least based on their dependence from claim 19 as well as based on their own merits.

Claims 10-26 stand rejected under 35 U.S.C § 102(b), the Examiner contending that these claims are anticipated by Fujimura (US 5,515,680).

The following is a quotation from MPEP 2111

During patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification." . . . The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach.

Applicant's combustion wall surrounds the combustion chamber while Fujimura's combustion chamber wall 16 does not. Furthermore, Applicant's inner space carries a cooling air stream to cool the heat shield element of the liner. In contrast, Fujimura's corresponding inner space, air flow passage 30, does not carry cooling air. Fujimura's air flow passage 30 is used as a premixing chamber to mix the premixing air flow 5 and a flow of gaseous fuel 13 before the air/fuel mixture enters the combustion chamber to be combusted. Applicant's cooling air stream cannot reasonably be considered the same as Fujimura's air/fuel mixture. Therefore, Applicant's cooling air stream does not equate to Fujimura's air/fuel mixture.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. All correspondence should continue to be directed to our below-listed address. Accordingly, Applicant respectfully requests that the Examiner reconsider the rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: Nov. 16, 2009

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